

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

KARMEN BANKSTON, et al.,

Plaintiffs,

-v-

STANLEY L. ALEXANDER, M.D., et al.,

Defendants.

Case No. 3:13-cv-248

Judge Thomas M. Rose

**ENTRY AND ORDER DENYING PLAINTIFFS' MOTION FOR A
TEMPORARY RESTRAINING ORDER (Doc. #2) AS MOOT WITHOUT
PREJUDICE TO REFILING**

Now before the Court is a Motion for Temporary Restraining Order (doc. #2) filed by Plaintiffs. Therein the Plaintiffs seek to temporarily restrain the Defendants from taking any action against the Plaintiffs related to balance billing and debt collection activities generated by balance billing. It has been represented to the Court by the Defendants that they will stay any collection activities against the named Plaintiffs until thirty (30) days after any of the Defendants gives written notice to the Plaintiffs' counsel of an intent to resume such activities. (Defs. Memorandum In Opposition To Plaintiffs' Motion for Class Certification, Ex. A.)

Since the Defendants have agreed, at least temporarily, to refrain from doing what the Plaintiffs wish to restrain them from doing, there is no need for the Court to consider a Temporary Restraining Order at this time. Therefore, Plaintiffs' Motion for a Temporary Restraining Order is denied as being moot without prejudice to renewal of the Motion for a Temporary Restraining Order if and when necessary.

DONE and **ORDERED** in Dayton, Ohio this Seventh day of November, 2013.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record